

MAR 07 2005

Attorney Docket No.: 99.25US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cioca, et al.

Serial No.: 09/838,649

Group Art Unit: 1617

Filed: April 19, 2001

Examiner: Wells, Lauren Q.

For: Stable Antimicrobials in Structured Water

RESPONSE PURSUANT TO 37 CFR 1.111 - Introductory Comments

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In the Examiner's Office Action, of December 6, 2004, the Examiner rejects the present claims for being obvious. The present invention is not, as asserted by the Examiner, a simple addition of silver to structured water; and further, as the electrostatic charges of the silver ion and any type of water may result in interactions between the two, these interactive forces do not necessarily render the silver ions being incorporated within the cluster structure of the structured water. This point is further elucidated by the difference between the starting water in the cited reference and the feed water in the present invention, and are demonstrated by the data submitted in Manzatu Declaration. In the Manzatu Declaration, it is shown that there is a difference between simply adding an ion to structured water and integrating the same ion within the cluster structure of structured water. This point and others as they relate to the obviousness rejection of the pending claims are discussed in further detail below in the Remarks section. Applicants request that the following amendments be entered and the following remarks be considered.